

REMARKS

Claims 11-26 have been examined. Claims 22-24 have been rejected under 35 U.S.C. § 112, first paragraph, claims 11-26 have been rejected under 35 U.S.C. § 112, second paragraph, claims 11, 12, 14-19 and 21-26 have been rejected under 35 U.S.C. § 102(b) and claims 13 and 20 have been rejected under 35 U.S.C. § 103(a).

I. Rejections under 35 U.S.C. § 112, first paragraph

The Examiner has rejected claims 22-24 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. However, since Applicant has canceled claims 22-24, without prejudice or disclaimer, Applicant submits that the rejection of such claims is now moot.

II. Rejections under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 11-26 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. The Examiner maintains that the features of lines 11-12 of claim 11, lines 11-12 of claim 15 and lines 6-7 of claim 19 are inaccurate since the reference holes 10a and 10b are allegedly disclosed as being in side surfaces of the cartridge. Applicant traverses the Examiner's position. Applicant requests that the Examiner view the non-limiting embodiment of Figure 4, where reference holes 10a and 10b are shown on either a top or bottom surface of the cartridge 10, not on a side surface. Further, lines 3-10 of claim 11 fail to recite that the reference holes are provided on a side surface. Rather, the claim recites that the *drawing out port* is

provided on a side surface of the cartridge case at a position that is located between a position corresponding to a screw hole and a position corresponding to a reference hole. Such recitations are clearly supported by the non-limiting embodiment of Figure 4. Further, as understood by comparing Figure 4 with Figures 1 and 3, it is clear that both of the reference holes 10a and 10b are not provided in a side surface of the magnetic tape cartridge, but rather, are provided in an upper or lower surface, as recited in the claims.

If the rejection is to be maintained, Applicant respectfully requests the Examiner to specifically indicate by page and line number or claim and line number, where the reference holes are supposedly disclosed as being in a side surface of the cartridge case.

III. Rejections under 35 U.S.C. § 102(b)

The Examiner has rejected claims 11, 12, 14-19 and 21-26 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 3,655,145 to Olsen ("Olsen").

A. Claim 11

Due to the Examiner's belief that the reference hole is actually disclosed as being provided in a side surface of the cartridge case, the Examiner has repeated the rejections over Olsen. However, for the reasons set forth above, Applicant submits that the specification fully supports the claim language and the recitations are not indefinite.

Turning to the rejections, the Examiner maintains that opening 56 of Olsen discloses the claimed drawing-out port, threaded wells 32 disclose the claimed screw hole, and slot 88 discloses the claimed reference hole. However, as shown in Figs. 1 and 6 of Olsen, slot 88 is disposed in a side surface, i.e., forward wall 26, which is contrary to the recitations of claim 11 (Fig. 1; col. 2, lines 1-3; col. 3, lines 21-24).

Further, the Examiner maintains that wall 26 of Olsen has upper and lower side wall portions. However, in view of the recitations of claim 11, i.e., that the reference hole is not provided in a side surface, Applicant submits that claim 11 is patentable over the cited reference.

In view of the above, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claim 11.

B. Claims 12, 14 and 25

Since claims 12, 14 and 25 are dependent upon claim 11, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claim 15

Applicant submits that claim 15 is patentable over the cited reference for at least analogous reasons as claim 11.

D. Claims 16

Applicant submits that claim 16 is patentable over the cited reference for at least analogous reasons as claim 11.

E. Claims 17-19, 21 and 26

Since claims 17, 18, 21 and 26 are dependent upon claim 16, Applicant submits that such claims are patentable at least by virtue of their dependency.

Further, since claim 19 has been canceled, without prejudice or disclaimer, and incorporated into claim 16, Applicant refers the Examiner to the comments presented above.

F. Claims 22-24

Claims 22-24 have been canceled, without prejudice or disclaimer. Accordingly, the rejection of such claims are now moot.

IV. Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claims 13 and 20 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Olsen.

Since claims 13 and 20 are dependent upon one of claims 11 and 16, Applicant submits that such claims are patentable at least by virtue of their dependency. In addition, Applicant

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notes that the Examiner has recognized that Olsen does not disclose that a central portion of a tape drawing-out port is located at position apart from a corner of a cartridge case by a distance equivalent to approximately one quarter of a length of a side of the cartridge.

V. Newly Added Claims

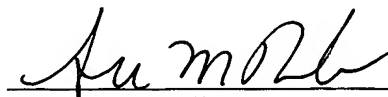
By this Amendment, Applicant has added new claims 27-29.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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